

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

Caption in Compliance with D.N.J. LBR 9004-2(c)

The Law Offices of S. Daniel Hutchison
135 North Broad Street
Woodbury, NJ 08096
(856) 251-1235

S. Daniel Hutchison, Esquire
Attorney for Debtor(s)

In Re:

Brian S. Perkins

Case No: 17-16528

Hearing Date:

Judge: Michael B. Kaplan



Order Filed on November 14, 2017
by Clerk
U.S. Bankruptcy Court
District of New Jersey

ORDER APPROVING LOAN MODIFICATION

The relief set forth on the following pages, numbered two (2) through three (3) is
hereby ORDERED.

DATED: November 14, 2017



Honorable Michael B. Kaplan
United States Bankruptcy Judge

Upon consideration of the debtors application for an Order to approve the proposed terms of Rushmore Loan Management Services LLC loan modification; it is hereby

ORDERED that the Court hereby authorizes secured creditor and debtors to enter into a loan modification; and

IT IS FURTHER ORDERED that in the event a loan modification is completed and the pre-petition arrears are capitalized into the loan, secured creditor shall withdraw its Proof of Claim or amend the Proof of Claim accordingly within thirty (30) days from the date of this Order; and

IT IS FURTHER ORDERED that the Chapter 13 Trustee shall suspend disbursements to secured creditor pending completion of the loan modification and all money that would otherwise be paid to the secured creditor be held until the claim is withdrawn or the trustee is notified by secured creditor that the modification was not consummated; and

IT IS FURTHER ORDERED that in the event the modification is not consummated; the secured creditor shall notify the trustee and debtors attorney of same. Any money that was held by the trustee pending the completion of the modification shall then be paid to secured creditor; and

IT IS FURTHER ORDERED that in the event the Proof of Claim is withdrawn, the trustee may disburse the funds being held pursuant to the this Order to other creditors in accordance with the provisions of the confirmed plan; and

IT IS FURTHER ORDERED that debtors shall file an amended Schedule J and modified Plan within twenty (20) days of this Order; and

IT IS FURTHER ORDERED that communication and/or negotiations between the debtors and mortgagees/mortgage servicers about loan modification shall not be deemed as a violation of the automatic stay; and any such communication or negotiation shall not be used by either party against the other in any subsequent litigation.